IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16787 of 2008
ADITYA PRASAD
Versus
THE STATE OF BIHAR

With

Cr.Misc. No.24037 of 2008
DR. PRABHAT PASWAN
Versus
THE STATE OF BIHAR
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3 06.08.2008 Heard learned Counsel for the petitioners and the State.

Criminal Miscellaneous No. 16787 of 2008 filed on behalf of the Aditya Prasad and Criminal Miscellaneous No. 24037 of 2008 filed on behalf of Dr. Prabhat Paswan are being taken together because both have arisen out of one occurrence, hence they are being disposed of by this common order.

Case was registered on the basis of written report of Raj Kumar Prasad, when his cousin Dr. Rabindra Prasad Prajapati was suspected to have been kidnapped for the purpose of killing by the petitioners and other accused persons. The informant has given the written report on the basis of information gathered by him that his brother was seen being followed by the accused persons on motorcycle.

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Even according to the FIR, the informant is not the eye witness. During entire investigation the witnesses have been examined and the State counsel after going to the case diary submits that there is no connecting material with the offence.

Considering the facts and circumstances, the petitioners, Aditya Prasad and Dr. Prabhat Paswan are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Gaya in connection with Khoti P.S. Case No. 33/2007.

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Kundan **(Shyam Kishore Sharma, J.)**